IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH AT HYDERABAD

THE HON'BLE SRI JUSTICE GOPALAKRISHNA TAMADA

Writ Petition No.13535 of 2003

Dated: 11-07-2007

Between:

Patan Khadar Khan, s/o Janeemia.

... Petitioner

and

1. The Executive Officer-cum-Panchayat Secretary,
   Kovvur Grampanchayat,
   Kovur,
   Nellore District and 2 others.

... Respondents

ORDER:

Petitioner states that he is having a valid licence issued by first respondent – Executive Officer-cum-Panchayat Secretary of Kovur Gram Panchayat, vide R.C.No.95/87, dated Nil.9/87, to carry on business in meat and fish. He further states that all of a sudden, first respondent issued two notices, dated 21-06-2003, cancelling his licence and further directed him to shift the said meat shop to a place where new building for fish and meat market was constructed by the Gram Panchayat.

2. Having heard learned counsel for petitioner, this Court is of the

view that the proceedings dated 21-06-2003 are only notices under Sections 118 and 119 of the Andhra Pradesh Gram Panchayat Act, 1964 and petitioner is always at liberty to offer his explanation to the said show cause notices, instead he approached this Court and filed the present writ petition. Accordingly, I see no merits in this writ petition.

3. However, as this Court on 09-07-2003 passed an interim order directing respondents not to interfere with petitioner's peaceful possession and enjoyment of selling fish and meat within Ward No.1 of Kovur Grampanchayat by permitting him to run the same as usual, it is suffice to direct petitioner to offer his explanation to the impugned show cause notices within four weeks from the date of receipt of a copy of this order.

4. Accordingly, the writ petition is disposed of. No costs.

It is made clear that the interim direction is directed to be continued pending consideration of the said explanation offered by petitioner.

JUSTICE GOPALAKRISHNA TAMADA

Dt.11-07-2007
GLV